

IN THE UNITED STATES COURT
OF APPEALS
FOR THE THIRD CIRCUIT

NO. 03-1085

SEJID SMRIKO
Petitioner

v.

JOHN ASHCROFT, ATTORNEY GENERAL
OF THE UNITED STATES
Respondent

On Petition for Review of an Order
of the Board of Immigration Appeals
A71-685-464

Argued April 16, 2004

BEFORE: RENDELL, STAPLETON
and LAY,* Circuit Judges

(Opinion Filed October 26, 2004)

James G. Gavin (Argued)
21 West Broad Street
Burlington, NJ 08016
Attorney for Petitioner

* Hon. Donald P. Lay, United States Circuit Judge for the Eighth Circuit, sitting by designation.

Peter D. Keisler
Anthony Wray Norwood
Earle B. Wilson
Michael P. Lindemann
John D. Williams
Terri J. Scadron (Argued)
U.S. Department of Justice
Office of Immigration Litigation
Ben Franklin Station
P.O. Box 878
Washington, DC 20044

ORDER AMENDING PUBLISHED CONCURRING OPINION

LAY, Circuit Judge:

It is now ordered that the published concurring opinion in the above case filed October 26, 2004, be amended as follows:

On page 24, line 8 of the concurring opinion, delete the words “which follow the Eighth Circuit’s opinion” and replace them with the words “in accord with the reasoning”.

By the Court

/s/ Donald P. Lay
United States Circuit Judge

DATED: November 1, 2004
SLC/cc: James G. Gavin, Esq.
John D. William, Esq.
Michael P. Lindeman, Esq.
Terri J. Scadron, Esq.
Earle B. Wilson, Esq.